

1 CRIMINAL COURT OF THE CITY OF NEW YORK
2 COUNTY OF NEW YORK PART B

3 THE PEOPLE OF THE STATE OF NEW YORK,

4 -against-

5 JOSEPH CRACCO,

6 Defendant.

7
8 100 Centre Street
9 New York, New York 10013

10 July 8, 2014

11
12 B E F O R E:

13 THE HONORABLE ERIKA EDWARDS, Judge

14 A P P E A R A N C E S:

15 FOR THE PEOPLE:

16 OFFICE OF CYRUS VANCE, JR., ESQ.
17 District Attorney, New York County
18 One Hogan Place
19 New York, New York 10013

20 BY: LEAH BRANCH, ESQ.,
21 Assistant District Attorney

22 FOR THE DEFENDANT:

23 JAMES MALONEY, ESQ.

24 Barbara Geremia
25 Official Court Reporter

1 COURT OFFICER: Calendar numbers 116 and 118,
2 Joseph Cracco.

3 MR. MALONEY: Good morning, your Honor. James
4 Maloney for Mr. Cracco. Special appearance on the
5 new matter for purposes only of the arraignment. He
6 still needs to seek counsel on that matter. We
7 would enter a plea of not guilty. Waive the formal
8 reading of the rights and charges but not the rights
9 thereunder, and respectfully request his ROR be
10 continued.

11 THE COURT: People.

12 MS. BRANCH: Good morning, your Honor. Leah
13 Branch for the People. The People do have a global
14 offer in this case. As to docket ending 518, the
15 People are offering a 240.20 with two days of
16 community service. As to docket ending 208, People
17 are offering 240.20 with one day of community
18 service.

19 THE COURT: Why don't we do three days of
20 community service on one and time served on the
21 other?

22 MS. BRANCH: That's fine, your Honor.

23 MR. MALONEY: Defendant accepts the offer.

24 THE COURT: On both dockets disorderly
25 conducts are added for purposes of disposition. You

1 could enter the plea. Are you entering a plea of
2 guilty --

3 MR. MALONEY: Entering a plea of guilty to
4 disorderly conduct two counts, yes.

5 THE COURT: On both dockets?

6 MR. MALONEY: One on each.

7 THE COURT: You waive prosecution by
8 information on both dockets?

9 MR. MALONEY: Yes.

10 THE COURT: Mandatory surcharges, time to pay
11 or judgment entered?

12 MR. MALONEY: Need time to pay.

13 THE COURT: You just heard your attorney
14 withdraw your previously entered pleas of not guilty
15 and enter pleas of guilty to disorderly conduct on
16 both these dockets. The promises of the Court are
17 as follows: On docket ending 518, it's a
18 conditional discharge. The condition being three
19 days of community service, 15 day jail alternative
20 if you don't complete it, and \$120 mandatory
21 surcharge. Is that what you want to do?

22 THE DEFENDANT: Yes, your Honor.

23 THE COURT: And on the other docket, the
24 promise of the Court is disorderly conduct, time
25 served, and \$120 mandatory surcharge. Is that what

1 you want to do on that docket?

2 THE DEFENDANT: Yes, your Honor.

3 THE COURT: On both dockets you have a right
4 to remain silent, a right to a trial, to be present
5 when the witnesses are called, to assist in your
6 defense, to testify on your own behalf if you choose
7 to. Are you waiving those rights?

8 THE DEFENDANT: Yes.

9 THE COURT: If you're not a U.S. citizen, this
10 plea and my acceptance of the plea may affect your
11 immigration status, you may be deported, denied
12 readmission in the country and naturalization in the
13 future. Do you understand that?

14 THE DEFENDANT: Yes.

15 THE COURT: Are you pleading guilty to
16 disorderly conduct in New York County because you
17 are guilty?

18 THE DEFENDANT: Yes.

19 THE COURT: Anything you want to say before I
20 sentence you on this docket?

21 THE DEFENDANT: No.

22 THE COURT: The defendant is sentenced to
23 disorderly conduct, conditional discharge.
24 Condition being three days of community service, 15
25 day jail alternative if you don't do it, and \$120

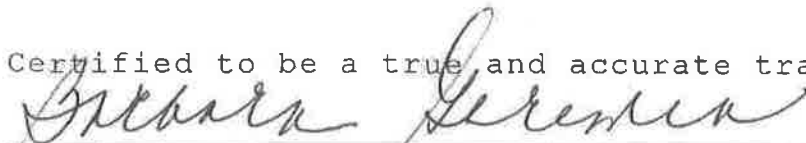
Proceedings

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1 mandatory surcharge. ASC 9/9.
2 On the other docket, docket ending 690, you're
3 pleading guilty to disorderly conduct in New York
4 County because you are in fact guilty?
5 THE DEFENDANT: Yes, your Honor.
6 THE COURT: Do you have anything to say to me
7 before I sentence you on that disorderly conduct?
8 THE DEFENDANT: No.
9 THE COURT: Defendant is sentenced to
10 disorderly conduct, time served, \$120 mandatory
11 surcharge. Cashier part 9/9. Wait for paperwork.
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15 Certified to be a true and accurate transcript.

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17 Barbara Geremia - Official Court Reporter
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